

REMARKS

Claims 1-53 and 60-66 were pending in the above-captioned patent application prior to this amendment. Claims 1-13, 16-18, 20, 21, 23, 25, 31, 38, 40, 51, 52, and 60-65 have been amended. Claims 26-30, 53-59 have been canceled. New claim 67 has been added. Thus, claims 1-25, 31-52, and 60-67 remain pending in the application after this amendment.

The specification has been amended to include patent application serial number information that was not known at the time the above-captioned patent application was filed.

A set of formal patent drawings to replace the informal drawings originally filed with the application are submitted concurrently herewith in a separate paper. It is respectfully requested that the formal drawings be the drawings that publish in any patent issuing from this patent application.

An Information Disclosure Statement is also submitted concurrently herewith as a separate paper to provide an English translation of DE 92 04 321.6.

The examiner's allowance of claims 31-45 and 47-50 is noted with appreciation. Because withdrawn claim 46 depends from allowed independent claim 31, it too is in condition for allowance and such action is respectfully requested. Claim 31 has been amended to add the word "generally" in two places, once before the word "vertically" and once before the word "horizontally," to clarify that some amount of deviation from vertical and horizontal is within the literal scope of the claim. It is believed that this clarifying amendment to claim 31 does not affect the patentability of claim 31 and the claims dependent thereon. A similar amendment to add the word "generally" has been made to dependent claim 38 and in several other claims pending in this application for the same reasons as set forth above. A non-narrowing clarifying amendment has also been made to dependent claim 40.

The examiner objected to claims 13-15, 17 and 18 as being dependent upon a rejected base claim, but the examiner stated that these claims would be allowable if rewritten in

independent form including all of the limitations of the base claim and any intervening claims. Claims 13, 17, and 18 have been so rewritten without narrowing their scope and also to include the word “generally” before each occurrence of the word “vertically” and the word “horizontally” to clarify that some amount of deviation from vertical and horizontal is within the literal scope of these claims. Accordingly, claims 13-15, 17 and 18 are believed to be in condition for allowance and such action is respectfully requested.

The examiner rejected claims 1, 4, 5, 11, 12 and 60 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 6,213,481 to Marchese et al. Independent claims 1 and 60 now each recite, among other things, “a generally vertically disposed support structure extending from the floor to the ceiling of the room.” Base element 1 of Marchese et al. does not extend from the floor to the ceiling of a room. Thus, Marchese et al. does not anticipate claim 1 or claim 60 or any of the claims dependent upon claims 1 or 60. Accordingly, claims 1-12, 16, 19-25, 60 and 61 are in condition for allowance and such action is respectfully requested. Also, in claim 1 and several others of the pending claims, the term “patient care equipment column” has been amended to recite “patient care column.” The specification uses both of these terms. While it is believed that both of these terms broadly cover the same types of structures, this amendment has been made in several instances so as to use the term having less adjectives. Other non-narrowing, clarifying amendments have been made to the claims dependent upon claim 1.

The examiner rejected claims 2, 3, 6, 20, 51, 52 and 61 under 35 U.S.C. § 103(a) as being unpatentable over Marchese et al. in view of U.S. Pat. No. 6,434,329 to Dube et al. As to claims 2, 3, 6, and 20, this rejection is rendered moot due to the dependency of these claims from claim 1 which is in condition for allowance as discussed above. As to claim 61, this rejection is rendered moot due to the dependency of claim 61 from claim 60 which is in condition for allowance as discussed above. Claim 51 now recites, among other things, “a telescopic arm mounted to the support structure for pivotable movement in a horizontal plane, the telescopic arm having a tubular first portion coupled to the support structure and a tubular second portion that is extendable and retractable relative to the tubular first portion, a part of the tubular second portion which is received in the tubular first portion being surrounded by the tubular first portion.” The examiner admits that Marchese et al. does not teach a telescoping arm. The term

“telescoping” has been replaced by the term “telescopic” in claim 51 to clarify that the physical act of telescoping is not a requirement to fall within the scope of the claim. That is, while a telescopic arm is certainly capable of telescoping, even when a telescopic arm is stationary and not telescoping, it is still intended to be within the scope of the claim. This wording change was not necessitated by the prior art rejection, but was simply for purposes of clarification. The portions 58, 60 of the camera support 42 disclosed in Dube et al. are U-shaped in cross section as is evident in Figs. 8 and 9 of Dube et al. In fact, the bottom part of portion 60 of camera support 42 of Dube et al. is located outside of the physical boundary defined by portion 58 of Dube et al. Accordingly, neither Marchese et al. nor Dube et al. disclose or suggest “a telescopic arm . . . having a tubular first portion . . . and a tubular second portion” along with “a part of the tubular second portion which is received in the tubular first portion being surrounded by the tubular first portion.” Accordingly, claim 51 and claims 52 and 67 which depend therefrom are in condition for allowance and such action is respectfully requested. The amendments to claim 52 are non-narrowing amendments for purposes of clarification and are not necessitated by any prior art rejection. Claim 67 is a new claim which is dependent upon claim 51.

The examiner rejected claims 7-10 and 55 under 35 U.S.C. § 103(a) as being unpatentable over Marchese et al. in view of U.S. Pat. No. 3,431,937 to Hettlinger et al. As to claims 7-10, this rejection is rendered moot due to the dependency of these claims from claim 1 which is in condition for allowance as discussed above. As to claim 55, this rejection has been rendered moot because claim 55 has been canceled.

The examiner rejected claims 16 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Marchese et al. However, this rejection is rendered moot due to the dependency of these claims from claim 1 which is in condition for allowance as discussed above.

The examiner rejected claim 56 under 35 U.S.C. § 103(a) as being unpatentable over Marchese et al. in view of Hettlinger et al., and further in view of U.S. Pat. No. 3,213,877 to May et al. This rejection is rendered moot due to the cancellation of claim 56.